

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

OVERSEAS CARRIERS, INC.,

Plaintiff

VERSUS

TEAM OCEAN SERVICES –  
DALLAS, INC., TEAM OCEAN  
SERVICES, INC., and TEAM  
WORLDWIDE, INC.

Defendants

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CIVIL ACTION NO. 4:10-cv-02842

**UNOPPOSED MOTION TO DISMISS**

Plaintiff Overseas Carriers, Inc. (“OCI”), files this Unopposed Motion to Dismiss this action with prejudice under Rule 41(a)(2), and in support thereof would show the Court the following:

**BACKGROUND**

1. This matter was tried to the Court on November 5, 2012.
2. The Court rendered Judgment on January 4, 2013 (Doc. # 62).
3. Post-trial Motions were ruled on, and Amended Final Judgment was entered by the Court, on July 16, 2013 (Doc. #s 85, 86).
4. In its Amended Judgment (Doc. # 86) the Court retained jurisdiction to enforce any arbitral award entered in the arbitration ordered by the Court.

5. Defendant Team Ocean Services, Inc. (“Team Ocean”), appealed this Court’s Judgment to the U.S. Court of Appeals for the Fifth Circuit (Doc. # 87).

6. OCI commenced arbitration against Team Ocean under the auspices of the Houston Maritime Arbitrators Association before sole arbitrator Michael Bell.

7. OCI and Team Ocean have now compromised and amicably resolved all disputes between them.

### **MOTION TO DISMISS**

Out of an abundance of caution and desire for clarity and finality, and in light of the Court’s retention of jurisdiction regarding enforcement of any arbitration award, OCI now moves the Court to dismiss this action with prejudice. Team Ocean does not oppose this Motion.

WHEREFORE, OCI requests that the Court dismiss this action with prejudice, with each party to bear its own costs.

Respectfully submitted,

/s/ Evan T. Caffrey

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### **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document was served on all parties via by U.S. Mail, fax, hand delivery, and/or electronic mail, on September 17, 2014.

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